

**S U B S T I T U T E**  
ORDINANCE NO. \_\_\_\_\_

1           AN ORDINANCE amending Section 5.04.060 of the Lincoln Municipal Code to  
2 prohibit issuance of special designated liquor licenses in the downtown area on home football  
3 game days.

4           BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

5           Section 1. That Section 5.04.060 of the Lincoln Municipal Code be amended to  
6 read as follows:

7       **5.04.060 Special Designated ~~Permits~~ Licenses.**

8           (a)   All applications for special designated ~~permits~~ licenses must be received by the  
9 City Clerk at least seven days prior to the requested date of hearing before the City Council on  
10 such application. Failure to meet this time requirement will result in denial of such application.

11          (b)   The City Council shall not approve any application for special designated licenses  
12 for sales of alcoholic liquor including beer to the public for any premises within 300 feet of a  
13 campus as defined in the Nebraska Liquor Control Act.

14          Section 2. That Section 5.04.060 of the Lincoln Municipal Code as hitherto  
15 existing be and the same is hereby repealed.

16          Section 3. That this ordinance shall take effect and be in force from and after its  
17 passage and publication according to law.

Introduced by:

\_\_\_\_\_

Approved as to Form & Legality:

\_\_\_\_\_  
City Attorney

97-122 - SUBSTITUTE

Staff Review Completed:

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Administrative Assistant

INTER-DEPARTMENT COMMUNICATION

TO Bill Austin  
DEPARTMENT City Attorney  
ATTENTION  
COPIES TO

DATE August 4, 1997  
FROM Joel Pedersen  
DEPARTMENT City Law  
SUBJECT SDL football restriction

I have attached the ordinance related to special designated licenses as requested. The language of the provision parallels the restrictions related to special events in 14.32.070(c)(2).

The ordinance would prohibit issuing a special designated license for the sale of alcohol within the same downtown zone that the traffic engineering division has previously identified as most severely impacted for both vehicular and pedestrian congestion on UNL gamedays. Because the zone identified related to special events is inclusive of the streets and public ways on the identified streets, I enlarged the area by one block in each direction to make the area consistent when applied to adjacent property.

The prohibition also lists a time period which expires the day following game day at 6:30 a.m. You correctly point out that in most instances that would be Sunday. The reason for this is to cover those instances where the game day is Thursday or Friday. This often happens around the Thanksgiving holiday and other times for television coverage reasons. In addition, the hours regulations (including the Sunday hours restrictions) are included among those regulations that the applicant may be exempted from under the terms and conditions of a special designated license.

I also considered placing the restriction as an amendment to existing resolution 73406 passed in 1990. Resolution 73406 authorizes the City Clerk to approve special designated licenses under certain criteria. Paragraph B (6) already provides that the clerk can not issue gameday SDL's. Therefore, including the proposed change in the existing resolution added nothing. The change in ordinance makes the prohibition generally applicable without the City Council having to separately deny gameday applications in the congested district on a case by case basis. The City Council would still have to approve gameday SDL's outside of the congested district.

If you have any questions, let me know.

Sincerely,



Joel D. Pedersen  
Assistant City Attorney